



Attorney Docket No. GOEA 02836 PTUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edward Williams

For: **TAMPING TOOL**

U.S. Serial No.: 10/721,955

Filed: November 25, 2003

Group Art Unit: 3617

Examiner: Frantz Jules

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on June 3, 2004

Angela Wilson

Typed or Printed Name

Angela Wilson

Signature

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

This is a response to the restriction/election requirement mailed April 22, 2004, in the above-captioned patent application. The Examiner identified six (6) species of claim in the invention, and required election of a single species for prosecution on the merits. Applicant respectfully traverses this restriction, at least because the species of invention disclosed in Figures 1-3 and 7-15 are closely related.

Additionally, while the Examiner has noted that there is no generic claim, a Preliminary Amendment is attached hereto that provides a generic claim 25 that is generic to at least species 1 and 3-6 identified by the Examiner. Applicant would be electing to process claims 15-20 and 24 from the application as filed, along with new generic claim 25, and dependent claims 26-36 in the prosecution of this application.

In the event that the Examiner will not consider the generic claim submitted herewith, Applicant understands that they are required to elect a single species, and would therefore select the species shown in Figures 9-11 and 15, and claimed in Claims 15-20 and 24 of the application as originally filed, which encompass species 4 and 6 identified by the Examiner, if such a restriction requirement is necessary.

Enclosed is a check in the amount of \$55.00 for a one-month extension of time for filing of the Response to the Restriction Requirement, and a Petition for a one-month Extension of Time. Applicant does not believe any additional fee is due in association with the filing of this Response to Restriction Requirement and the accompanying Preliminary Amendment. However, should the Applicant be in error, the Examiner is authorized to charge any required fees (other than issue fees) due in connection with the filing of this paper to Deposit Account No. 50-2180 of Paul Storm, P.C. Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

STORM & HEMINGWAY, L.L.P.



Dawn C. Wolff
Registration No. 48,695
Attorney for Applicants

Date: 6-3-2004

STORM & HEMINGWAY, L.L.P.
8117 Preston Rd.
Ste. 460
Dallas, Texas 75225
(214) 292-8996 (phone)
(214) 292-8999 (fax)